

1                   **PROHIBITING STATE DEPARTMENTS AND**  
2                   **ENTITIES FROM EMPLOYING CONTRACT**  
3                   **LOBBYISTS**

4                   2001 GENERAL SESSION

5                   STATE OF UTAH

6                   **Sponsor: Beverly Ann Evans**

7   **This act modifies the Budgetary Procedures Act by prohibiting state agencies from spending**  
8   **appropriated monies on lobbyists.**

9   This act affects sections of Utah Code Annotated 1953 as follows:

10 ENACTS:

11           **63-38-3.1**, Utah Code Annotated 1953

12 *Be it enacted by the Legislature of the state of Utah:*

13           Section 1. Section **63-38-3.1** is enacted to read:

14           **63-38-3.1. Restrictions on agency expenditures of appropriated monies -- Lobbyists.**

15           (1) As used in this section:

16           (a) (i) "Agency" means each department, commission, board, council, agency, institution,  
17 officer, corporation, fund, division, office, committee, authority, laboratory, library, unit, bureau,  
18 panel, or other administrative unit of the state.

19           (ii) "Agency" includes the legislative branch, the judicial branch, the Board of Regents,  
20 the § [~~institutional councils~~] **BOARD OF TRUSTEES** h of each higher education institution, each  
20a higher education institution,  
21 or a public education entity.

22           (b) "Executive action" means action undertaken by the governor, including signing or  
23 vetoing legislation, and action undertaken by any official in the executive branch of government.

24           (c) "Legislative action" means action undertaken by the Utah Legislature or any part of it.

25           (d) "Lobbyist" means a person who is not h [a full-time] AN h employee of an agency who  
25a is either  
26 employed by the agency or hired as an independent contractor by the agency to communicate with  
27 legislators or the governor for the purpose of influencing the passage, defeat, amendment, or



28 postponement of legislative or executive action.

29 (2) A state agency or entity to which monies are appropriated by the Legislature may not

30 expend any ~~h [of those] h~~ monies to pay a lobbyist.

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**Legislative Review Note**

**as of 1-31-01 3:56 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**